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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,714	02/01/2006	Kuniaki Ishibashi	053565	8972

38834 7590 01/26/2010

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
HON, SOW FUN	

ART UNIT	PAPER NUMBER
1794	

NOTIFICATION DATE	DELIVERY MODE
01/26/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

Office Action Summary	Application No.	Applicant(s)	
	10/566,714	ISHIBASHI ET AL.	
	Examiner	Art Unit	
	SOPHIE HON	1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/06/09*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8-15 and 17-19* is/are pending in the application.

4a) Of the above claim(s) *18 and 19* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-15,17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Request for Reconsideration

Repeated Rejections

1. The 35 U.S.C. 103(a) rejection of claims 8-10, 12, 17 over Matsumoto in view of Yoshida, as evidenced by Uchiyama, is repeated for the same reasons previously of record in the Office action dated 07/08/09.

2. The 35 U.S.C. 103(a) rejection of claims 8, 11, 13-15, 17 over Matsumoto in view of Abileah, as evidenced by Uchiyama, is repeated for the same reasons previously of record in the Office action dated 07/08/09.

Response to Arguments

3. Applicant's arguments have been fully considered but they are not persuasive.

4. Regarding the prior art combination of Matsumoto in view of Yoshida, as evidenced by Uchiyama, Applicant argues that since Uchiyama simply discloses a retardation film but fails to discuss the relationship between the retardation film and a polarizing film, and that long films cannot be practically attached before stretching, and that the long films can [only] be attached in a case where the longs films are stretched in the MD direction, whereas Matsumoto discloses that long films are attached when the long films are stretched in the TD direction, if the retardation film of Uchiyama were attached to the polarizing film of Matsumoto, the retardation film of Uchiyama would not function to result in the desired effect, and that thus there is no reason for one of ordinary skill in the art to combine the film of Uchiyama and that of Matsumoto.

Applicant is respectfully apprised first of all, that the passage of Uchiyama which Applicant refers to, states that “attachment in such a manner that the retardation axes of the in-plane direction of each film are not in a perpendicular or parallel angle is not preferred from a standpoint of productivity ..." (column 2, lines 5-15), which actually means that the optical axes of the optical films should either be perpendicular or parallel to each other. Thus, Uchiyama does not teach against the attachment of a retardation film with a slow axis in the MD direction to a polarizing film with an absorption axis in the TD direction.

Applicant is respectfully apprised secondly, that Matsumoto is the primary reference that teaches a laminated film of a polarizing film with an absorption axis in the TD direction, and a retardation film that by definition has a slow axis (phase difference plate, [0030]), thus providing the relationship between the polarizing film and the retardation film. Matsumoto fails to teach that the retardation film is laminated to the polarizing film during the production process of the polarizing film and further, that the retardation film has a slow axis in the MD direction.

Uchiyama is the secondary reference that teaches that a retardation film can have a slow axis in the MD direction (slow axis lies parallel to the direction in which the film runs, column 2, lines 1-5, which is the machine direction).

Yoshida is the secondary reference that teaches that a laminated film comprising a polarizing film and a retardation film having a slow axis that is perpendicular to the absorption axis of polarizing film (orthogonal, [0177]) is used for the purpose of

improving the viewing angle characteristics of the display ([0178]). The TD direction is perpendicular to the MD direction.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have formed the laminated film comprising the polarizing film and retardation film of Matsumoto, such that the retardation film has a slow axis in the MD direction, as evidenced by Uchiyama, that is perpendicular to the absorption axis of the polarizing film that is in the TD direction, in order to obtain the desired improvement in display viewing angle characteristics, as taught by Yoshida.

5. Applicant's arguments against the prior art combination of Matsumoto in view of Abileah, as evidenced by Uchiyama, are similar to the ones presented against the prior art combination of Matsumoto in view of Yoshida, as evidenced by Uchiyama, where Applicant argues that like Yoshida, Abileah does not teach or suggest "wherein the polarizing film has an absorption axis in the TD direction, wherein the retardation film has a slow axis in the MD direction, wherein the length in the MD direction of each of the polarizing film and the retardation film is not smaller than five times as long as the length in the TD direction of each the polarizing film and retardation film, and wherein the polarizing film is produced by stretching the first long polymer film in the TD direction and shrinking the first long polymer film in the MD direction".

Applicant is respectfully apprised that Matsumoto is the primary reference that teaches a laminated film of a polarizing film with an absorption axis in the TD direction, and a retardation film that by definition has a slow axis (phase difference plate, [0030]), thus providing the relationship between the polarizing film and the retardation film.

Matsumoto just fails to teach that the retardation film is laminated to the polarizing film during the production process of the polarizing film and further, that the retardation film has a slow axis in the MD direction.

Uchiyama is the secondary reference that teaches that a retardation film can have a slow axis in the MD direction (slow axis lies parallel to the direction in which the film runs, column 2, lines 1-5, which is the machine direction).

Abileah is the secondary reference that teaches that a laminated film comprising a polarizing film and a retardation film that has a slow axis that perpendicular to the absorption axis of the polarizing film (optical axis of retardation film is oriented substantially perpendicular to the adjacent polarizer transmission axis, column 32, lines 39-42) is used for the purpose of improving the contrast ratio of the display (column 33, lines 30-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have formed the laminated film comprising the polarizing film and retardation film of Matsumoto, such that the retardation film has a slow axis in the MD direction, as evidenced by Uchiyama, that is perpendicular to the absorption axis of the polarizing film that is in the TD direction, in order to obtain the desired improvement in contrast ratio, as taught by Abileah.

As such, the prior art rejections are sustained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample, can be reached on (571)272-1376. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/

Sow-Fun Hon

Examiner, Art Unit 1794